

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RONALD AND DEBORAH KEAL,

Plaintiffs,

v.

STATE OF WASHINGTON *et al.*,

Defendants.

Case No. C05-5737RJB

ORDER TO AMEND

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). The plaintiffs are proceeding *in forma pauperis*. (Dkt. # 4). The complaint names the State of Washington, the Department of Corrections, eleven department of corrections employees by name, and ninety-nine John or Jane Does. While plaintiff alleges violations of numerous constitutional rights there are no operative facts showing how any named or unnamed defendant acted. (Dkt. # 5). The document violates Fed. R. Civ. P. 8 (a) and (e)(1). Plaintiffs are **ORDERED** to file an amended complaint.

The new complaint will act as a complete substitute for the original. Plaintiffs have until **January 9<sup>th</sup>, 2006** to file the amended complaint. Failure to cure the defects in the original complaint will result in a Report and Recommendation that this action be dismissed for failure to

1 state a claim.

2 The clerk is directed to send a copy of this order to plaintiff and to note the **January 9<sup>th</sup>**,  
3 **2006** due date on the court's calendar.

4  
5 DATED this 8<sup>th</sup> day of December, 2005.

6  
7  
8 /s/ J. Kelley Arnold  
9 J. Kelley Arnold  
United States Magistrate Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27